
TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #17-215(E)

DIGEST

Amends [71 IAC 5-1-17](#) and [71 IAC 5.5-1-17](#) regarding the duration of a license. Amends [71 IAC 6.5-1-3](#) and [71 IAC 6.5-1-4](#) regarding claim certificates and claiming prohibitions. Amends [71 IAC 8-1-4.2](#) and [71 IAC 8.5-1-4.2](#) regarding medication thresholds. Effective April 18, 2017.

[71 IAC 5-1-17](#); [71 IAC 5.5-1-17](#); [71 IAC 6.5-1-3](#); [71 IAC 6.5-1-4](#); [71 IAC 8-1-4.2](#); [71 IAC 8.5-1-4.2](#)

SECTION 1. [71 IAC 5-1-17](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5-1-17](#) Duration of license

Authority: [IC 4-31-6-2](#)

Affected: [IC 4-31-6-4](#)

Sec. 17. ~~(a) All licenses expire December 31 of each year.~~

~~(b)~~ A license is valid only under the condition that the licensee remains eligible to hold such license.

(Indiana Horse Racing Commission; [71 IAC 5-1-17](#); emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1142; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); filed Nov 10, 2014, 2:07 p.m.: [20141210-IR-071140230FRA](#); emergency rule filed Apr 18, 2017, 12:54 p.m.: [20170426-IR-071170215ERA](#))

SECTION 2. [71 IAC 5.5-1-17](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5.5-1-17](#) Duration of license

Authority: [IC 4-31-6-2](#)

Affected: [IC 4-31-6-4](#)

Sec. 17. ~~(a) All licenses expire December 31 of each year.~~

~~(b)~~ A license is valid only under the condition that the licensee remains eligible to hold such license.

(Indiana Horse Racing Commission; [71 IAC 5.5-1-17](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2852, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); filed Nov 10, 2014, 2:07 p.m.: [20141210-IR-071140230FRA](#); emergency rule filed Apr 18, 2017, 12:54 p.m.: [20170426-IR-071170215ERA](#))

SECTION 3. [71 IAC 6.5-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 6.5-1-3](#) Claim certificate

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 3. (a) Any owner may claim any horse subject to be claimed in flat racing in Indiana provided the owner:

- (1) has foal papers on file in the Indiana Grand racing office and has started a horse at the current race meeting; or
- (2) has been issued an open claiming certificate by the stewards.

(b) The stewards shall issue an open claiming certificate to any person who:

- (1) makes application for an owner's license;
- (2) meets all requirements for the issuance of an owner's license;

~~(3) does not own, nor has a spouse who:~~

~~(A) owns a horse who is eligible and able to race at Indiana Grand; or~~

~~(B) has foal papers on file in the Indiana Grand racing office with respect to a horse eligible to race at Indiana Grand;~~

~~(4) (3) has an agreement with a trainer licensed in Indiana to take charge of, care for, and train any horse claimed by the holder of the open claiming certificate; and~~

~~(5) (4) has at a minimum, the amount of the claim and applicable taxes on deposit with the horsemen's bookkeeper.~~

(c) An open claiming certificate may not be issued to any person licensed as a trainer in any jurisdiction unless the trainer is a member of a partnership, limited liability company, corporation, or other entity that would otherwise be eligible for an open claiming certificate, and the claim is being made by that entity.

(d) The open claiming certificate shall be valid for the calendar year in which it is issued or until the person to whom the open claiming certificate is issued executes a claim and becomes an owner of a horse through the use of the open claiming certificate, whichever period is shorter.

(e) An open claiming certificate shall not be effective until the next racing day following the date of approval by the stewards.

(f) The open claiming certificate shall be enclosed in the envelope provided for the purpose of claiming by the racing office.

(Indiana Horse Racing Commission; [71 IAC 6.5-1-3](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed Jun 10, 2016, 11:11 a.m.: [20160615-IR-071160257ERA](#); emergency rule filed Apr 18, 2017, 12:54 p.m.: [20170426-IR-071170215ERA](#))

SECTION 4. [71 IAC 6.5-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 6.5-1-4](#) Prohibitions

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 4. (a) A person shall not claim a horse in which the person has a financial or beneficial interest as an owner or trainer.

(b) A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.

(c) A person shall not enter into an agreement for the purpose of preventing another person from obtaining a horse in a claiming race.

(d) A person shall not claim a horse, or enter into any agreement to have a horse claimed, on behalf of an ineligible or undisclosed person.

(e) A person shall not file ~~a claim more than one (1) horse in a race or file more than one (1) claim for the same horse.~~ However, owners utilizing the same trainer may claim different horses from the same race.

~~(f) A person shall not claim more than one (1) horse in a race. However, owners utilizing the same trainer may claim different horses from the same race.~~

~~(g)~~ **(f)** The association shall ensure the claim box is locked. The association shall unlock the claim box only after the deadline for claiming a horse has passed.

(g) For a period of thirty (30) days after a claim, a horse shall not start in a race in which the determining eligibility price is less than the price at which it was claimed. The day claimed shall not count for purposes of counting the applicable thirty (30) day period, and for this purpose the immediate following calendar day after the day claimed shall be the first day. The horse shall be entitled to enter whenever necessary so that the horse may start on the thirty-first calendar day following the claim for any claiming price.

(h) No horse claimed out of a claiming race shall race outside of the state of Indiana for a period of sixty (60) days without the permission of the stewards and racing secretary, or until the conclusion of the race meet.

(Indiana Horse Racing Commission; [71 IAC 6.5-1-4](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2862, eff Jul 1, 1995; emergency rule filed June 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [NOTE: [IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 22, 2000, 3:05 p.m.: 23 IR 2780; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Aug 20, 2002, 3:00 p.m.: 26 IR 55; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Mar 12, 2008, 1:53 p.m.: [20080326-IR-071080191ERA](#), eff Mar 11, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-191(E) was filed with the Publisher March 12, 2008.]; emergency rule filed Apr 30, 2010, 1:34 p.m.: [20100505-IR-071100256ERA](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed Mar 30, 2016, 12:18 p.m.: [20160406-IR-071160138ERA](#); emergency rule filed Apr 18, 2017, 12:54 p.m.: [20170426-IR-071170215ERA](#))

SECTION 5. [71 IAC 8-1-4.2](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 8-1-4.2](#) Threshold levels

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-12](#)

Sec. 4.2. The official blood (serum or plasma) and urine samples may contain only the following therapeutic medications, their metabolites or analogues, and shall not exceed the threshold concentrations specified in this rule:

- (1) The use of acepromazine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of the metabolite, 2-(1-hydroxyethyl) promazine sulfoxide (HEPS), in urine.
- (2) The use of albuterol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of total albuterol (albuterol plus conjugates) in urine.
- (3) The use of betamethasone shall be permitted under the following conditions: Not to exceed ten (10) picograms per milliliter of betamethasone in serum or plasma.
- (4) The use of butorphanol shall be permitted under the following conditions: Not to exceed three hundred (300) nanograms per milliliter of total (free and conjugated) butorphanol in urine or two (2) nanograms per milliliter of free butorphanol in serum or plasma.
- (5) The use of clenbuterol shall be permitted under the following conditions: Not to exceed one hundred forty (140) picograms per milliliter clenbuterol in urine or the limit of detection (LOD) in serum or plasma.
- (6) The use of cetirizine shall be permitted under the following conditions: Not to exceed six (6) nanograms per milliliter of serum or plasma.
- (7) The use of cimetidine shall be permitted under the following conditions: Not to exceed four hundred (400) nanograms per ~~milliliter~~ **millileter** [*sic, milliliter*] of serum or plasma.
- (8) The use of dantrolene shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of 5-hydroxydantrolene in serum or plasma.
- (9) The use of detomidine shall be permitted under the following conditions: Not to exceed two (2) nanograms per milliliter of carboxydetomidine in urine or one (1) nanogram per millileter [*sic, milliliter*] of detomidine in serum or plasma.
- (10) The use of dexamethasone shall be permitted under the following conditions: Not to exceed five (5) picograms per milliliter of dexamethasone in plasma or serum.
- (11) The use of diclofenac shall be permitted under the following conditions: Not to exceed five (5) nanograms per milliliter of diclofenac in plasma or serum.
- (12) The use of dimethylsulfoxide (DMSO) shall be permitted under the following conditions: Not to exceed ten (10) micrograms per milliliter of DMSO in serum or plasma.
- (13) The use of firocoxib shall be permitted under the following conditions: Not to exceed twenty (20)

nanograms per milliliter of firocoxib in serum or plasma.

(14) The use of glycopyrrolate shall be permitted under the following conditions: Not to exceed three (3) picograms per milliliter of glycopyrrolate in serum or plasma.

(15) The use of guaifenesin shall be permitted under the following conditions: Not to exceed twelve (12) nanograms per milliliter of serum or plasma.

(16) The use of isoflupredone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of isoflupredone in serum or plasma.

(17) The use of lidocaine shall be permitted under the following conditions: Not to exceed twenty (20) picograms per milliliter of total 3-hydroxylidocaine (to include conjugates) in serum or plasma.

(18) The use of mepivacaine shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of total 3-hydroxymepivacaine in urine or the LOD of mepivacaine in serum or plasma.

(19) The use of methocarbamol shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of methocarbamol in serum or plasma.

(20) The use of methylprednisolone shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of methylprednisolone in serum or plasma.

(21) The use of omeprazole shall be permitted under the following conditions: Not to exceed ten (10) nanograms per milliliter of omeprazole sulfide in urine.

(22) The use of prednisolone shall be permitted under the following conditions: Not to exceed one (1) nanogram per milliliter of prednisolone in serum or plasma.

(23) The use of procaine penicillin shall be permitted under the following conditions:

(A) Not to exceed twenty-five (25) nanograms per milliliter of procaine in serum or plasma, and

(B) Administration of procaine penicillin must be reported to the official veterinarian at the time of administration, and

(C) Procaine penicillin must not be administered after the horse is entered to race, and

(D) Mandatory surveillance of the horse must occur for the six (6) hours immediately preceding the race for which the horse is entered by association security at the owner's expense.

(24) The use of ranitidine shall be permitted under the following conditions: Not to exceed forty (40) ~~picograms~~ **nanograms** per milliliter of serum or plasma.

(25) The use of triamcinolone acetonide shall be permitted under the following conditions: Not to exceed one hundred (100) picograms per milliliter of triamcinolone acetonide in serum or plasma.

(26) The use of xylazine shall be permitted under the following conditions: Not to exceed two hundred (200) picograms per milliliter of xylazine in serum or plasma.

(Indiana Horse Racing Commission; [71 IAC 8-1-4.2](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); emergency rule filed Feb 8, 2012, 12:01 p.m.: [20120215-IR-071120072ERA](#); emergency rule filed Apr 3, 2013, 10:37 a.m.: [20130410-IR-071130133ERA](#); readopted filed Nov 26, 2013, 11:25 a.m.: [20131225-IR-071130345RFA](#); emergency rule filed May 7, 2014, 2:27 p.m.: [20140514-IR-071140143ERA](#), eff May 15, 2014; emergency rule filed Jul 3, 2014, 11:57 a.m.: [20140709-IR-071140251ERA](#); emergency rule filed Mar 17, 2017, 1:04 p.m.: [20170322-IR-071170167ERA](#); emergency rule filed Apr 18, 2017, 12:54 p.m.: [20170426-IR-071170215ERA](#))

SECTION 6. [71 IAC 8.5-1-4.2](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 8.5-1-4.2](#) Threshold levels

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